

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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RAME, LLC d/b/a CAFÉ CENTRO, and :
PATINA RESTAURANT GROUP, LLC, : 12 Civ. 1684 (RWS)
Petitioners, :
-against- : DECLARATION OF
MISHI POPOVICH, SANDRA AGUILERA, : LOUIS PECHMAN
BRENDAN CASEY, JOHAN MESTANZA, :
DAVID HEWETSON, SAMUEL CUEVAS, and : ECF CASE
BONNIE WICKERAAD, on behalf of themselves
and all others similarly situated, :
Respondents.
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LOUIS PECHMAN, an attorney duly admitted to practice in the Southern District of New York, declares the following under penalty of perjury:

1. I am a partner in the law firm of Berke-Weiss & Pechman LLP, attorneys for respondents Mishi Popovich, Sandra Aguilera, Brendan Casey, Johan Mestanza, David Hewetson, Samuel Cuevas, and Bonnie Wickeraad, (collectively, the "Respondents"). As such, I am fully familiar with the facts and circumstances herein.
2. I submit this declaration in support of Respondents' Memorandum of Law in Opposition to Petitioners' Petition/Motion to Vacate the Arbitrator's Partial Final Award on Clause Construction, dated February 6, 2012. Attached hereto as Exhibit A is a true and correct copy of the Arbitrator's Partial Final Award on Clause Construction (the "Award").
3. The Award was issued by an Arbitrator proposed by Petitioners after Petitioners moved to compel arbitration in the first instance.

4. Attached hereto as Exhibit B is a true and correct copy of Respondents' Complaint against Petitioners, Case No. 11 Civ. 0680, filed January 31, 2011 in the United States District Court for the Southern District of New York.

5. Attached hereto as Exhibit C is a true and correct copy of Petitioners' Memorandum of Law in Support of Motion to Dismiss and to Compel Arbitration, dated May 20, 2011.

6. Attached hereto as Exhibit D is a true and correct copy of Respondents' Rule 41(a)(1) Notice of Dismissal Without Prejudice, dated July 1, 2011.

7. Attached hereto as Exhibit E is a true and correct copy of the joint stipulation entered into between the parties to this action, dated September 23, 2011 (the "Stipulation").

8. Attached hereto as Exhibit F is a true and correct copy of Petitioners' Memorandum of Law in Support of Their Motion for a Threshold Clause Construction Award Compelling Each Named Claimant to Individually Arbitrate His or Her Claims, dated October 31, 2011.

9. Attached hereto as Exhibit G is a true and correct copy of Respondents' Memorandum of Law in Support of Their Motion For a Threshold Clause Construction Award in Support of Collective and Class Arbitration, dated November 18, 2011.

10. Attached hereto as Exhibit H is a true and correct copy of Petitioners' Reply Memorandum of Law in Support of Their Motion for a Threshold Clause Construction Award Compelling Claimants to Individually Arbitrate Their Claims, dated December 23, 2011.

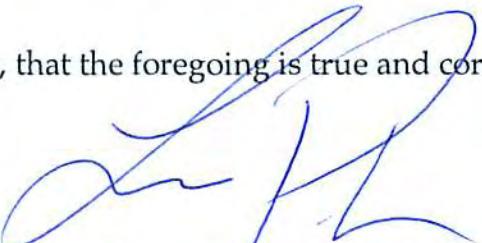
11. Attached hereto as Exhibit I is a true and correct copy of Respondents' Sur-Reply Memorandum in Support of Their Motion For a Threshold Clause

Construction Award in Support of Collective and Class Arbitration, dated January 17, 2012.

12. Attached hereto as Exhibit J is a true and correct copy of Petitioners' Memorandum of Law in Response to Individual Claimants' Sur-Reply, dated January 25, 2012.

I declare, under penalty of perjury, that the foregoing is true and correct.

Dated: New York, New York
March 21, 2012



LOUIS PECHMAN

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